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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

SEP - 6 1991

Federal Communications Commission
Office of the Secretary

In re Applications of

CAROLINE K. POWLEY
d/b/a UNICORN SLIDELL
Slidell, Louisiana

TRUDY M. MITCHELL
Slidell, Louisiana

For a Construction Permit
for a new UHF Commercial
Television Station to
Operate on Channel 54,
Slidell, Louisiana

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) File No. BPCT-900518KO
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) File No. BPCT-900726KG
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) VIDEO SERVICES
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TO: Chief, Mass Media Bureau

STATEMENT FOR THE RECORD

Trudy M. Mitchell ("Mitchell"), through her attorneys, tenders this, her Statement for the Record, in an effort to point up the present posture of the matter of the conflicting applications for television channel 54 at Slidell, Louisiana.

1. Mitchell's application was originally filed April 30, 1990, and returned by the Chief, Television Branch, June 18, 1990, as a result of her use of an obsolete form 301.

2. Mitchell refiled her application July 26, 1990, (BPCT-900726KG). In that application she specified use of the tower of WQXY(FM) and WCCL, Channel 49.

3. Mitchell tendered an amendment to her application June 7, 1991, changing her site and specifying use of the tower of WSLA(AM), Slidell, Louisiana.

4. Mutually exclusive applicant Caroline K. Powley ("Powley"), apparently unaware of Mitchell's June 7 amendment to specify the WSLA tower rather than the WCCL(TV) tower, filed a Motion to Dismiss or Deny June 25, 1991, complaining that channels 54 and 49 could not, under existing Commission rules, exist on the same tower.¹ In light of Mitchell's June 7 amendment, the said Motion of Powley to dismiss or deny is moot. Mitchell's amendment, filed pro se, did not mention that she had lost her site as proposed on the WCCL(TV) tower. A subsequent letter in confirmation of this loss is attached to this pleading.

5. Within the last few days, Mitchell has engaged E. Harold Munn, Jr. & Associates, Inc. as consulting engineer to examine and point up (should the same be necessary) her application and subsequent amendment. Mr. Munn will be unavailable to approximately September 15, 1991, but at that time will provide any additional engineering information that should be needed to assist the Commission in processing Mitchell's application.

Accordingly, it is respectfully requested that the Chief, Mass Media Bureau, take no action that would impede or prejudice

¹ Powley also raised the question with respect to Mitchell's payment of a filing fee (and subsequently a hearing fee), but as Mitchell has demonstrated to the Commission, all of these were properly and timely paid.

ultimate grant of Trudy Mitchell's application until Harold Munn is afforded an opportunity to review and make any changes advisable.

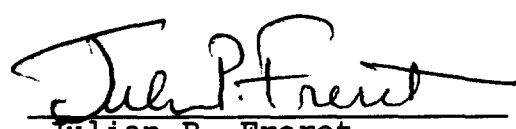
Respectfully submitted,

TRUDY M. MITCHELL

By


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September 6, 1991

CERTIFICATE OF SERVICE

I, Margaret A. Ford, Office Manager of the law firm of Booth, Freret & Imlay, do hereby certify that copies of the foregoing STATEMENT FOR THE RECORD were mailed this 6th day of September, 1991, to the offices of the following:

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*Via Hand Delivery